

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ARTHUR JOHNSON, JR.,

Plaintiff,

Case No. 18-cv-13631  
Hon. Matthew F. Leitman

v.

JOHN DOE and JANE DOE,

Defendants.

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**ORDER DENYING APPLICATION TO PROCEED IN FORMA  
PAUPERIS; DISMISSING ACTION WITHOUT PREJUDICE; AND  
CERTIFYING THAT AN APPEAL CANNOT BE TAKEN IN GOOD  
FAITH**

On January 22, 2019, the Court issued an order (ECF #11) requiring Plaintiff Arthur Johnson to show cause by not later than February 19, 2019, why the Court should not (1) deny his application to proceed *in forma pauperis* (ECF #2) and (2) dismiss his Complaint (ECF #1) without prejudice under the “three strikes” provision of 28 U.S.C. §1915(g). Johnson has not responded to the show cause order.

Accordingly, for all of the reasons stated in the show cause order dated January 22, 2019, the Court concludes that the “three strikes” provision in § 1915(g) applies to Johnson and that it bars him from proceeding with this action. The Court therefore **DENIES** Johnson’s application to proceed *in forma pauperis* (ECF #2)

and **DISMISSES** his Complaint (ECF #1) without prejudice. Johnson may re-file his Complaint as a new civil action and pay the filing fee if he wishes to pursue his claims against Defendants.

Lastly, the Court concludes that since Johnson has made no effort to show that the “three strikes” provision of 28 U.S.C. §1915(g) does not bar his claim, an appeal from this order would be frivolous and cannot be taken in good faith. *See* 28 U.S.C. §1915(a)(3).

**IT IS SO ORDERED.**

s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: February 27, 2019

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 27, 2019, by electronic means and/or ordinary mail.

s/Holly A. Monda  
Case Manager  
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